

Message Text

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PAGE 01 BERLIN 01106 291359 Z

46

ACTION EUR-25

INFO OCT-01 ADP-00 ACDA-19 IO-13 CIAE-00 DODE-00 PM-07

H-02 INR-10 L-03 NSAE-00 NSC-10 PA-03 RSC-01 PRS-01

SS-15 USIA-12 MBFR-03 SAJ-01 EURE-00 NIC-01 EB-11

RSR-01 /139 W

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O P 291120 Z JUN 73

FM USMISSION BERLIN

TO AMEMBASSY BONN IMMEDIATE

INFO SECSTATE WASHDC PRIORITY 2004

CINCUER FOR POLAD & OPS PRIORITY

CCINCUSAREUR FOR POLAD, OPS & AEAGG- OCO PRIORITY

INCUSAFE FOR POLAD & OPS PRIORITY

USELMO PRIORITY

AMEMBASSY LONDON

AMEMBASSY PARIS

AMEMBASSY MOSCOW

USMISSION NATO

USMLM

C O N F I D E N T I A L BERLIN 1106

E. O. 11652: GDS

TAGS: PFOR, PGOV, MOPS, WB, UR, GE

SUBJECT: SOVIET ASSERTIONS RE GDR RIGHT TO CONTROL USMLM MOVEMENTS

1. SUMMARY: CHIEF SERB 26 JUNE DELIVERED STATEMENT TO CHIEF USMLM IN RESPONSE TO COMPLAINTS ON SURVEILLANCE, IN COURSE OF WHICH HE ASSERTED GDR RIGHT AS SOVEREIGN STATE TO MAINTAIN ORDER WITHIN ITS OWN TERRITORIES. SOME SUCH MOVE HAD BEEN ANTICIPATED IN CONJUNCTION WITH INCREASED INTERNATIONAL STATUS OF GDR, IF NOT QUITE THIS SOON. WE WOULD ALSO EXPECT EFFORTS TO ASSERT LARGER GDR VOICE IN REGARD TO ACCESS AND ALLIED ACTIVITIES IN EAST BERLIN, AND, POSSIBLY, BASC. MISSION RECOMMENDS EARLY STATEMENT REJECTING SOVIET ASSERTION, WITH INVOCATION
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PAGE 02 BERLIN 01106 291359 Z

OF QD OR APPROACH TO SOVIET EMBASSY BEING HELD IN RESERVE. THERE MAY BE NEED TO CHANGE SOME LONG- STANDING PROCEDURES IF NOT FOR MLM, IN OTHER AREAS, BUT WE RECOMMEND WE PROCEED IN ORDERLY WAY, BUYING TIME IF NECESSARY TO BE ABLE TO DO SO. END SUMMARY.

2. AT OUTSET OF MEETING WITH CHIEF USMLM CALLED BY CHIEF SERB 26 JUNE, LATTER READ OFF AND SUBSEQUENTLY PROVIDED COPY OF STATEMENT RESPONDING TO CHIEF USMLM' S COMPLAINT ABOUT GDR SURVEILLANCE AND HARASSMENT OF USMLM TOURS. STATEMENT, DELIVERED ON INSTRUCTION HQ, GSFB, SAID THAT " THE ACTIONS OF REPRESENTATIVES OF THE GDR... ARE IN NO WAY THE RESULT OF ANY NEGLECT OF RESPONSIBILITY ON OUR PART, INASMUCH AS THE GDR IS A SOVEREIGN STATE WHICH HAS THE RIGHT TO BE CONCERNED WITH MAINTAINING ORDER WITHIN ITS OWN TERRITORY." STATEMENT SAID SOVIET RESPONSIBILITY WAS CONFIRMED BY PRESENCE OF SERB, BUT DENIED THAT ACTIONS OF GDR PERSONNEL CONSTITUTED VIOLATION OF HUEBNER- MALININ AGREEMENT, WHICH " NEVER PROVIDED FOR NOR COULD PROVIDE FOR A SUPPRESSION OF THE RIGHTS OF A SOVEREIGN NATION-- THE GDR," AND WHICH " WAS CONCLUDED BETWEEN THE USSR AND THE USA." CHIEF SERB SAID SOVIETS COULD " NEITHER PROHIBIT NOR ENCOURAGE ANY ACTIONS WHATSOEVER OF THE GDR AUTHORITIES OR OF ANY OTHER SOVEREIGN STATE."

3. CHIEF SERB AVOIDED ANY FURTHER DISCUSSION OF STATEMENT. CHIEF USMLM HAS RECOMMENDED TO HIS HEADQUARTERS THAT EARLY RESPONSE BE MADE TO STATEMENT, EITHER IN FORM OF CANCELLED ATTENDANCE OF SENIOR US MILITARY OFFICIALS AT ANNUAL JULY 3 USMLM PICNIC, CHIEF OF STAFF OR CINC LETTER TO BE DELIVERED BEFORE 3 JULY, OR RETALIATORY HARASSMENT BY WEST GERMAN AUTHORITIES.

4. WE HAVE ANTICIPATED THAT ASSERTIONS SUCH AS THOSE MADE BY SOVIETS MIGHT WELL BE FORTHCOMING BOTH IN REGARD TO USMLM ACTIVITIES AS WELL AS IN OTHER AREAS WHERE GDR WILL FEEL URGE TO ASSERT ITS SOVEREIGNTY MORE FORCEFULLY IN LIGHT OF ITS ENHANCED INTERNATIONAL STATUS. LATEST SERB DEMARCHE FITS PATTERN OF PROTEST TO BRIXMIS
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PAGE 03 BERLIN 01106 291359 Z

ON BRITISH PATROL ACTIVITY IN BERLIN (BONN 9164) AND LIAISON MISSION PASS ISSUE, AND, AS WE NOTED IN USBER STUDIES POUCHED EMBASSY AND DEPARTMENT SOME MONTHS AGO, WE MAY WELL ENCOUNTER SIMILAR DEVELOPMENTS IN REGARD TO PROCESSING ON ACCESS ROUTES, ALLIED ACTIVITY IN EAST BERLIN, AND, POSSIBLY, BASC. WE ARE A LITTLE

SURPRISED TO SEE ACTION STARTED WHILE UN ENTRY OF GDR HAS NOT YET BEEN CONSUMMATED AND US ESTABLISHMENT OF RELATIONS WITH GDR IS STILL PENDING, BUT BELIEVE IT IS IMPORTANT TO DEAL WITH EVENTS AS THEY UNFOLD IN ORDERLY MANNER.

5. WHILE WE AGREE THAT PROMPT RESPONSE TO CHIEF SERB STATEMENT IS CALLED FOR, WE WOULD ARGUE FOR LOW- KEY WORDING IN EFFORT TO KEEP TEMPERATURE DOWN AND BUY TIME FOR ALLIES TO CONSIDER HOW THEY WISH TO PROCEED. SUGGESTED TEXT FOLLOWS:

BEGINTEXT: I AM INSTRUCTED TO INFORM YOU THAT MY AUTHORITIES REJECT THE ASSERTIONS CONTAINED IN YOUR STATEMENT OF JUNE 26 ABOUT THE RESPECTIVE COMPETENCIES OF THE SOVIET AND GDR AUTHORITIES IN REGARD TO THE ACTIVITIES OF THE UNITED STATES MILITARY LIAISON MISSION. THE HUEBNER- MALININ AGREEMENT OBLIGATES THE SOVIET AUTHORITIES TO INSURE MEMBERS OF THE US MILITARY LIAISON MISSION FREE TRAVEL WITHOUT ESCORT OR SUPERVISION THROUGHOUT THE AREA OF APPLICABILITY OF THE AGREEMENT. THE SOVIET AUTHORITIES ARE CLEARLY OBLIGATED TO PREVENT THE ACTIVITIES OF THE GDR AUTHORITIES WHICH WE HAVE BROUGHT TO YOUR ATTENTION. MY AUTHORITIES INSTRUCT ME TO STATE THAT THEY CONTINUE TO HOLD THE SOVIET AUTHORITIES FULLY AND SOLELY RESPONSIBLE FOR THE FULFILLMENT OF THE TERMS OF THE HUEBNER- MALININ AGREEMENT. END TEXT.

6. FURTHER POSSIBILITY WOULD BE APPROACH TO SOVIET EMBASSY INVOLVING PROVISIONS OF QD, BUT WE WOULD RECOMMEND LEAVING THIS IN RESERVE.

7. USCOB CONCURS. KLEIN

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CCINCUSAREUR FOR POLAD, OPS & AEAGG-
CINCUEUR FOR POLAD & OPS
EUR
INCUSAFE FOR POLAD & OPS
LONDON
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